IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 790 OF 2005.
IN
FIRST APPEAL ST.NO.32628 OF 2003.

Union of India. ... Applicant.
Versus.
Udayashree Coop.Housing Society Ltd. ... Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 28th February, 2007.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Application is strongly opposed by the Advocate for the Respondent. Considering the averments made in the Application and the facts and circumstances of the case, sufficient cause is made out for condonation of delay. However, the Applicant will have to pay substantial costs to the Respondent as delay is of more than one year.

2. Hence Rule is made absolute in terms of prayer clause (b), subject to condition of the Applicant paying costs of Rs.7500/- to the Respondent within a period of six weeks from today. Payment of costs shall be condition precedent. Place the Appeal for admission on 18th April 2007.

Judge.